

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Greater Hyderabad Municipal Corporation – Directions of the Hon'ble High Court in Writ Appeal in 1116 of 2008, 1119 of 2008 and 1135 of 2008 to confirming the orders passed dated 15.04.2008 – Implementation of the orders of the Hon'ble Andhra Pradesh Industrial Tribunal-1, Hyderabad – Permission accorded – Orders – Issued.

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MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (F2) DEPARTMENT

**G.O.Ms.No. 287**

**Dated: 21.04.2009**

**Read :-**

From the Commissioner and Special Officer, Greater Hyderabad Municipal Corporation, Hyderabad letter No.2047/B3/LWS/GHMC /2008/1224, dated 31.10.2008.

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**ORDER :**

In the letter read above, the Commissioner and Special Officer, Greater Hyderabad Municipal Corporation, Hyderabad has stated that as per the proceedings dated 16.04.1990, 19.04.1990 and 09.07.1990, the services of Sri P.Srinivas Yadav, Sri M.A.Hai and Sri Syed Qudrutullah Hussain were engaged as Section Writers in connection with the Census work according to the orders contained in G.O.Ms.No.18, dated 16.01.1990. They were paid an amount of Rs.850/- per month each on Adhoc basis on consolidated pay. The said orders were issued subject to the revision after the tenure of the post lapses. On expiry of the Census work on 31.05.1991, the (3) individuals have approached the Hon'ble Andhra Pradesh Administrative Tribunal to continue their services till O.A. is disposed off. In view of the order of the Hon'ble Andhra Pradesh Administrative Tribunal dated 13.08.1991, the services of the (3) individuals were terminated vide Proceeding dated 21.08.1991. The request of the Section Writers who worked the Census from November-1989 to September-1991 for their absorption in to the then Municipal Corporation of Hyderabad was rejected by Government in Memo.No.3607/F1/1996-4 MA, dated 03.11.1997 stating that the conditions mentioned in G.O.Ms.No.212, dated 22.04.1994 are not fulfilled by the applicants.

2. The Commissioner and Special Officer, Greater Hyderabad Municipal Corporation, Hyderabad has further stated that the (3) individuals namely Sri P.Srinivas Yadav, Sri M.A.Hai and Sri Syed Qudrutulla Hussain, while enclosing a copy of award of the Hon'ble Labour Court-I, A.P., Hyderabad dated 31.12.2002 have requested to reinstate them into service in the existing vacancies as per the award. The Writ Appeal preferred by the then Municipal Corporation of Hyderabad against the said award was admitted by the Hon'ble High Court on the condition of payment of wages under section 178 of the Industries Dispute Act 1947. Accordingly as per the Proceedings dated 10.09.2003, orders were issued for implementing the orders of the Hon'ble High Court for the payment of wages of Rs.850/- per month each w.e.f. 30.07.2003 till out come of Appeal filed by Municipal Corporation of Hyderabad in the Hon'ble High Court of Andhra Pradesh. The said amount was paid to the (3) individuals upto 31.03.2008. The (3) applicants through the letter dated 09.05.2008 have requested to reinstate them into

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Greater Hyderabad Municipal Corporation as per the orders passed by the Labour Court-I as confirmed by the Hon'ble High Court of Andhra Pradesh in its orders dated 15.04.2008. The Appeal filed by the Greater Hyderabad Municipal Corporation was dismissed by the Hon'ble High Court on 16.09.2008 giving liberty to Corporation to follow Section 25F read with Section-2 (00) of the I.D. Act. Further, the Hon'ble High Court of Andhra Pradesh directed the respondent Corporation to reinstate the (3) individuals in to services and if thereafter the services of the respondent workman are not required, it will be open to the Appellant Corporation to terminate the services in accordance with law.

3. The Commissioner and Special Officer, Greater Hyderabad Municipal Corporation, Hyderabad has further stated that the above (3) applicants were engaged for the time bound work of Census on temporary basis on payment of consolidated pay of Rs.850/- for month per individual, upto 31.05.1991 till the completion of the Census work. Moreover, the request of the applicants along with other Section Writers who worked in the Census from November - 1989 to September -1991 for absorption in Greater Hyderabad Municipal Corporation was rejected by the Government in Memo.No.3607/F1/1996-4 MA, dated 03.11.1997 stating that they have not fulfilled the conditions mentioned in the G.O.Ms.No.212, dated 24.04.1994. The services of applicants along with other Section Writers engaged for Census work Writ Appeal, 1991 and continued beyond 31.05.1991 as per the directions of the Andhra Pradesh Administrative Tribunal were terminated in view of the vacation of interim orders dated 02.04.1991.

4. The Commissioner and Special Officer, Greater Hyderabad Municipal Corporation, Hyderabad has stated that the (3) applicants viz., Sri P.Srinivas Yadav, Sri M.A.Hai and Sri Syed Qudratullah Hussain, in their representation dated 20.10.2008 while enclosing the award dated 31.12.2002 of the Hon'ble Labour Court - I, orders of the Hon'ble High Court of Andhra Pradesh, dated 15.04.2008, and 16.09.2008 have requested to reinstate them into service as per the said orders. The Standing Counsel of Greater Hyderabad Municipal Corporation in its Legal Opinion dated 29.10.2008 has requested to reinstate the petitioners into service as per the orders of the Hon'ble High Court of Andhra Pradesh duly seeking clarification from the Government.

5. The Commissioner and Special Officer, Greater Hyderabad Municipal Corporation, Hyderabad has, therefore, requested the Government to issue suitable orders in respect of implementation of orders of the Hon'ble High Court for reinstatement of Sri P.Srinivas Yadav, Sri M.A.Hai and Sri Syed Qudratullah Hussain into Greater Hyderabad Municipal Corporation.

6. Government examined the matter and observed that the Municipal Corporation of Hyderabad authorities had not followed the procedure laid down under Section 25-F of I.D. Act, 1947 while removing the three workmen from service. The three workmen were removed from service by simply oral termination order which culminates the court litigation for all these 10 years and the three workmen were also paid wages for an amount of Rs.850/- per month as per the High Court orders U/s 17-B of the I.D. Act, 1947 and thereby caused public money bailed out.

7. Government after careful examination of the matter, hereby accord permission to reinstate three petitioners namely Sri M.A.Hai, Sri Syed Qudrathulla Hussain and Sri P.Srinivasa Yadav into service in respect of

implementation of the orders confirmed by the Hon'ble High Court dated 15.04.2008 and also be permitted to terminate their services in accordance with Law duly following the procedure laid down under Section 25-F of I.D. Act of 1947 if their services are not required.

8. The Commissioner and Special Officer, Greater Hyderabad Municipal Corporation, Hyderabad shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**S.P. SINGH**  
**EX- OFFICIO PRINCIPAL SECRETARY TO GOVERNMENT**

To  
The Commissioner and Special Officer,  
Greater Hyderabad Municipal Corporation,  
Hyderabad  
Copy to :  
The G.P. for MA&UD, High Court of A.P.,  
Hyderabad.  
The P.S. to Minister (MA&UD).

//FORWARDED BY ORDER//

SECTION OFFICER